



Order Filed on November 7, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
STERN, LAVINTHAL & FRANKENBERG, LLC
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Attorney for Secured Creditor,
Carrington Mortgage Services, LLC
By Maria Cozzini, Esq.

In Re:

Stephen Weiss

Debtor(s).

Case No.: 19-10762-MBK

Chapter: 13

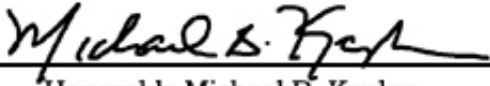
Hearing Date: June 11, 2019

Judge: Michael B. Kaplan

**ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**

DATED: November 7, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Stephen Weiss

Case No: 19-10762-MBK

Caption: Order Resolving Creditor's Certification of Default With Conditions

Applicant:	<u>Carrington Mortgage Services, LLC</u>
Applicant's Counsel:	<u>Stern Lavinthal & Frankenberg, LLC</u>
Debtor's Counsel:	<u>Kirsten B. Ennis, Esq.</u>
Property Involved ("Collateral"):	<u>12 Cliffside Drive, Stewartsville, NJ 08886</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 3 months, from July 1, 2019 to September 1, 2019.
- The Debtor is overdue for 3 payments at \$2,694.83 per month.
- The Debtor is overdue for 6 months of cure payments under the prior Order Resolving Motion for Relief entered on September 11, 2019, from July 1, 2019 payable through December 1, 2019.
- The Debtor is overdue for 6 cure payments at \$829.03.
- Less Funds held in debtor(s) suspense \$0.00
- Movant acknowledges receipt of \$7,100.00 after motion was filed.

Total Arrearages Due \$5,958.67.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on October 1, 2019, regular monthly mortgage payments shall continue to be made in the amount \$2,694.83.
- Beginning on October 1, 2019, additional monthly cure payments shall be made in the amount of \$993.12 for 6 months.

3. Payments to the Secured Creditor shall be made to the following address(es):

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Debtor: Stephen Weiss

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- ✓ Immediate payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

- ✓ Regular monthly payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

- ✓ Monthly cure payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

4. In the event of Default:

- ✓ If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within fifteen (15) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.
- ☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorneys fees of \$350.00, and costs of \$181.00.
The fees and costs are payable:
 - ✓ through the Chapter 13 plan.
 - ☐ to the Secured Creditor within _____ days.
 - ☐ Attorneys' fees are not awarded.